

RIVER TO RISE SIXTEEN FEET BY NOON TO-DAY

Rain in Upper Watershed Indicates Danger of Freshet.

BOATS WHISTLE FOR SUNDAY HELP

Wholesale and Shipping Houses Hasten to Move Perishable Goods Above Freshet Stage.

River Still Rising

At 2 A. M. the Chesapeake and Ohio gauge at Columbia indicated 26.2 feet and rising.

Flood warnings, indicating a rise of sixteen or more feet in James River by noon to-day, were issued last night.

Will Damage New Bridge.

The indicated rise will inevitably cause serious damage to false work on the new bridge.

Officers Murdered

Decayed to Lonely Spot and Shot by Negroes.

Gainesville, Fla., May 12.—Marshall C. H. Slaughter and Deputy Sheriff Chas. White, of Archer, Fla., were decaying to a lonely spot near here at 3 o'clock this morning and assassinated.

Shortly after midnight Marshall Slaughter received a message that there was trouble on the outskirts of the town.

At midnight the United States Government Weather Bureau issued flood warnings for the James River.

At the United States Weather Bureau Station at Chimborazo the observer reported winds and storms registered at 8 o'clock last night a total rainfall during the preceding twenty-four hours of 1.55 inches.

"Pretty heavy rain for this time of the year," commented Director Evans, (Continued on Third Page.)

Fair Weather for Week Is Promised

Washington, May 12.—Indications are that during the coming week fair weather will predominate, with temperatures below the seasonal average generally over the Rocky Mountains and near or above the normal on the Pacific slope.

ENDS "DOLLAR DIPLOMACY"

Withholding of Appropriation Will Wreck Reorganized State.

Washington, May 12.—In a vigorous statement Acting Secretary of State Huntington Wilson declared that the recent action of the House in withholding an appropriation for the Bureau of Trade Relations will, if continued in by the Senate, wreck the whole reorganized Department of State.

"Such legislation as this passed by the House," Wilson declared, "would put the United States in the rear rank of all governments in the matter of support to foreign commerce and enterprises abroad, and at a time when our foreign trade has become vastly more important than ever before."

"It would almost nullify the efforts of the whole diplomatic and consular service, and the divisions of Latin America, Far Eastern and European affairs."

"If all those instrumentalities are to be destroyed, it will be far more severely felt than if we had never had a modern foreign office and its departmental machinery."

"Practically without debate, and apparently without realization of what was being done on the part of the public and the press, a really momentous thing has been done. In a few hours a great department has been practically wiped out, so far as any hope of the continuance of real efficiency is concerned."

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RICHESON SHOWS NO NERVOUSNESS

Spends Almost Entire Day With Insanity Experts.

APPARENTLY IN GOOD CONDITION

Subjected to Most Exhaustive Tests Known, He Walks Hopefully Back to Cell—Report

Ready Before Meeting of Executive Council Wednesday.

Boston, May 12.—The board of insanity experts selected by Governor Foss to examine into the mental condition of Clarence V. T. Richeson, the former Baptist clergyman, who is under sentence of death for the murder of Avis Linnell, subjected Richeson today to the most exhaustive tests known.

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USES TELEGRAPH IN HIS CAMPAIGN

Taft Wires His Arguments to People of California.

PLEADS FOR THEIR SUPPORT AT POLLS

Again Accuses Roosevelt of Not Giving Him Fair Deal, of Appealing to Class Hatred and Forcing Sham Issues.

Starts Campaign Trip in Ohio To-Day.

Washington, May 12.—Unable to cross the continent to campaign in California, President Taft to-day sent by telegraph to the men and women Republicans of that State his arguments for support in the presidential elections on Tuesday.

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REBELS DEFEATED BY FEDERAL ARMY

Ten Thousand Men Are Engaged in Desperate Battle.

DESERT PLAINS STREWN WITH DEAD

Orozco Is in Retreat With His Shattered Force, but Is Likely to Make Final Stand at Escalon—His Annihilation Is Predicted.

At the Federal Front, Conojos, Mexico, May 12.—Twelve hours of brisk fighting on the desert plains 300 miles south of the American border between a force of 5,000 rebels, under General Orozco, and an equally strong body of Federalists, under General Huerta, resulted to-day in a decided advantage to the government.

The fighting began at daybreak, and at nightfall the sandy mesas between here and Yermo, fourteen miles north, where the insurgents were gradually forced back, were covered with dead and wounded.

About 500 are believed to have been killed and wounded on both sides. A courier reported that General Tracy Aubert, the dashing Federal commander, had been shot in the leg.

The rebels abandoned ten cannon and much ammunition in their retreat.

General Joaquin Teles, who has been stationed in the rear of Huerta's vanguard, at noon was sent around to the eastward to flank the rebels and cut off their retreat.

To night Federal headquarters claim the rebels are completely surrounded, and that the second day of fighting will prove equally decisive.

This town, only yesterday occupied by the vanguard of the rebels, was riddled with bullets when the Federalists galloped into it at sunset. Over the foothills to the north the insurgents could be seen retreating.

General Huerta has been receiving many telegrams of congratulations on the outcome of the day's fighting. Should the advantage gained to-day be followed by equal success to-morrow, the Federal leaders will undoubtedly hail the annihilation of the insurgent army.

General Huerta considers it probable, however, that the rebels will make their last stand at Escalon, their central base, fourteen miles to the north, where they have built fortifications and trenches in the last fortnight.

It was the steady artillery fire of the government troops that dislodged the enemy. The aim of the Federal gunners was true. They began to shell the rebel positions at daybreak.

For a time the insurgents fired in volleys, and seven Federal officers were wounded. Only a few hours, however, they withstood the cannonading and soon began to evacuate their positions.

General Teles arrived at nightfall with 1,500 men in the valley behind Conojos where the vanguard of rebels gathered. It seems likely that unless the rebels continue to fight desperately many prisoners will be taken to-morrow.

As they retreated the rebels destroyed several bridges, but the Federalists were equipped with pontoons and will not be seriously affected.

Enthusiasm in the Federal camp is intense. Word reached here that Torreón is celebrating the victory with street parades and music.

More than twenty Federal cannon were in action at once. The enemy was entrenched in the hills in a line fifteen miles long. The Federal fire was directed so that every shell hit a vulnerable spot. After the first few shots the commander of the Federal guns, Lieutenant-Colonel Rubio Navarrete, located immediately the position of the enemy. Soon he silenced and wrecked their artillery, all of which fell into the hands of government troops.

Most of the shells of the enemy exploded about 600 feet in front of the Federal lines.

The statement that I suspended an order made by the Indian commissioner affecting the garb of teachers in certain Indian schools which have been transferred from the Catholic Church to the government is true. I did this for the reason that the commissioner has issued the order after consulting with the Secretary of the Interior and without awaiting his conclusions. The propriety of the order has not been made the subject of an open discussion by all the parties interested, and the decision of the Secretary of the Interior will soon be handed down. I say nothing of the merits of the controversy except that the order reversed a condition which has existed for years and affected thirty or forty teachers, who as principals have been long before my time in the service of the government, and who would be expelled from that service by the order should it prevail. They were therefore entitled to a full hearing.

(Signed) "WM. H. TAFT"

HOPE RISING HIGHER

Day of Sunshine Brings Cheer to Flood-Stricken Districts.

New Orleans, La., May 12.—Another day of sunshine in New Orleans and throughout Southern Louisiana to-day cheered the hearts of those who are concerned over the high flood stages of the Mississippi River.

Federal engineers announced that the few reports received to-day from points north of New Orleans, where gangs are repairing and strengthening the levees, were encouraging, although it was admitted that the situation at Baton Rouge still was somewhat serious, and would demand careful watching and continued hard work to prevent a break in the front levee.

A fall of two-tenths of a foot in the Mississippi River at New Orleans was recorded in the twenty-four hours ending at 7 o'clock to-night, the gauge registering 21.3. At Baton Rouge there was a rise of nearly a tenth of a foot.

A report from Torr's stated that the levee at the lower end of the crevasse there was staving off and gradually adding to the width of the gap in the river embankment. To-morrow the United States ship Ram will reach Torr's, and Assistant Engineer Waddill will begin the work of tying the ends of the crevasse to prevent the rushing waters carrying away more of the levee.

The levees in New Orleans have been repaired where damage was done by Friday night's severe storm. In the third district the work of filling in dirt between the levees and the wooden revetment is nearing completion, and the work of closing the upper protection levee above New Orleans has been completed except for the three miles left for the operations of trains. These railroad gaps have been boxed in on either side, leaving only enough space for the passage of cars. Material has been placed at each gap, and they can easily be closed within a few hours.

FLIGHTS DESPITE STORM

Aviators Rise During Gale and Narrowly Miss Disaster.

London, May 12.—M. Nardini, the aviator who was expelled from France on the charge that he had been active against Italy on French soil, reached Dover to-day after a flight across the Channel from Calais. He intended to give an exhibition over the warships in the harbor during the afternoon, but the gale prevented.

The hydro-aeroplane flight over the Channel was witnessed by a large number of people during the morning. Just as the machine took to the water, and after skimming over the surface for a long distance, rose gracefully into the air and disappeared in the oncoming fog in the direction of Ramsgate, the warship following in close pursuit.

Despite the forty-mile-an-hour gale at the Hendon Aerodrome this afternoon, the crowds saw thrilling flights by Hucks and Hamel. Hucks came perilously near capsizing during his second flight, but managed to steady his machine. Amid lightning and thunder he rose fully 1,000 feet, being compelled to descend suddenly owing to the gale, which came upon him suddenly. Hamel also narrowly escaped disaster. For a time he lost control of his machine, but managed to keep it level and it swung round and round in the gale. When he finally managed to land he received a rousing reception.

DIES PROTECTING HUSBAND

Wife of Marshal Killed During Kentucky Battle.

Knoxville, Tenn., May 12.—Two persons are dead and several wounded as the result of a near riot this afternoon at Jellico, Ky.

Fully twenty-five persons participated in the fight, which started when Marshal Tom Bowling attempted to arrest Wiley Parton, who was shooting on the street.

Mrs. Bowling, wife of the marshal, was killed when she stepped between Parton and her husband, who were exchanging shots.

Parton also was killed. The wounded included Wesley Parton, shot in the body; Al Butler, shot in the neck; Al Bowling, badly ribbed.

When Marshal Bowling discovered that his wife had been killed in an effort to protect him, he attempted to take his own life. A friend handed him the pistol from his hand before the marshal carried out his intention.

STEAMSHIP IS RAMMED

Run Onto Rocks After Collision With Battleship.

London, May 12.—In a collision which occurred in the English Channel to-day during a heavy fog, the British steamship Don Benito was rammed by the battleship London and badly damaged that she had to be beached. The crash came off Folkestone. After the collision the battleship put into Sheerness for examination, which disclosed that she was unhurt, but the Don Benito signalled for help. A tug went out and proceeded to tow her into the harbor at Folkestone, but one of her holds filled so rapidly that the ship had to be ashore and beached. The Don Benito is engaged in the Buenos Ayres trade.

PROTESTS ARE VIGOROUS

Requests Left to Churches Are Condemned by State.

Lisbon, May 12.—The government is receiving a large number of protests from relatives whose requests to religious institutions are being considered in consequence of the law separating church and state. This law prescribes that all property, valuables and stocks of religious congregations and churches be confiscated by the State. The complaints that are reaching the government are coming through the British, German, French and Spanish legations. The requests having been left for religious purposes, it has aroused great objection against the act of confiscation. The funds so left aggregate nearly \$5,000,000.

MRS. LOUISE PERRY WEDS

She Is Daughter of Senator and Widow of Former Congressman.

Washington, May 12.—Mrs. Louise Bankhead Perry, daughter of Senator John H. Bankhead, of Alabama, and widow of Colonel William Hayne Perry, of North Carolina, a former member of Congress, was married here this afternoon to Arthur Graves Lund, of Boston. The ceremony took place in the apartment of Senator and Mrs. Bankhead, and was witnessed by many Southern members of the Senate and House, and by representatives of official and diplomatic circles. Mr. and Mrs. John H. Bankhead, Jr., of Jasper, Ala., and Perry Beattie, of Greenville, S. C., also were present.

NO TIME LIMIT PUT ON PLEAS OF ATTORNEYS

They Will Speak Just as Long as They Wish.

ARGUMENT MAY BE VERY BRIEF

Believed Now That Case of Floyd Allen Will Be in Hands of Jurors To-Morrow Afternoon or Wednesday Morning—Tentative Arrangement Is Completed.

BY ALEXANDER FORWARD.

Wytheville, Va., May 12.—No time limit has been set by Judge Walter R. Staples on the speeches of the attorneys in the case of Floyd Allen, on trial for the murder of W. M. Foster, late Commonwealth's attorney of Carroll county.

"Time limit, June 1," said Judge Staples to-day, smilingly. "Suppose Judge Halstrom will be speaking when that date comes, so as to shut out Mr. Wyser."

Unless some agreement is entered into to-morrow morning nine lawyers will speak just as long as they please. All of them say they have but little in mind, and that their remarks will be limited. It seems probable that the case of Floyd Allen will be in the hands of the jury by Tuesday afternoon or Wednesday morning.

Tentative Arrangement.

A tentative arrangement of speakers was made to-day. Judge Staples will open for the Commonwealth, asking that the life of the prisoner be made to pay the penalty for the crime with which he is charged. According to present plans, C. Francis Cook will make the opening speech for the defense, succeeded by Mr. Poage, Stuart B. Campbell, Commonwealth's attorney of Wythe county, and some next, to be succeeded by the defense by Judge N. S. Oglesby, of Bristol. The next speech for the prosecution will be by S. Floyd Landreth, Commonwealth's attorney of Carroll. R. H. Willis will speak for the defense, followed by John S. Draper for the prosecution. The next speech in behalf of the prisoner will be delivered by Judge N. H. Halstrom, while the final appeal for the State will be by Joseph C. Wyser.

The delay to-morrow before Judge Staples has down his instructions to the jury. The prosecution has a few more to propose. The judge has made no announcement concerning any of them, but his attitude toward those submitted may be inferred from his remarks during the argument on Saturday afternoon and night. It seems probable that he will grant about half of the instructions asked for by the defense, although others may be approved in modified form. Some of the fifteen first proposed by the Commonwealth will be omitted, while the blue pencil has been put through nearly all of them, even if only in modification of language.

Some instructions were agreed to by both sides, these being in the main those of the prosecution detailing the law in murder and conspiracy cases. Sundry of the defense's instructions are based upon suggestions which are conveyed in the evidence of one or two parties. For instance, the court instructs the jurors that if they believe from the evidence that Floyd Allen intended to submit to the sentence of the court, and would have done so but for the display of arms made by officers in the evidence, they may acquit him, rather than in the testimony of many other witnesses. This point naturally will be emphasized by the prosecution.

Prisoners Are Well.

Those of the prisoners who have been suffering with colds are better to-day. Sidna Edwards, who has had rheumatism in the neck, is much relieved.

The Allen boys have discussed their appearance on the witness stand but little in the presence of the guards. Floyd Allen is fairly cheerful, and all of them eat well. Mrs. Floyd Allen attended services this morning at St. John's Episcopal Church, sitting, as she does, with her head bowed in a most pathetic figure, neatly attired in the inevitable black of the Blue Ridge Mountains, with black silk sunbonnet, not at all unattractive in its make-up. She wore the white flower of "Mothers' Day."

Judge Staples attended the same church. So did Judge Hammond, of the Supreme Court of Massachusetts, who, side by side with Judge Staples, earnestly watched the progress of the trial. Judge Hammond's son and Commonwealth's Attorney Floyd Landreth, of Carroll, sat with him.

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